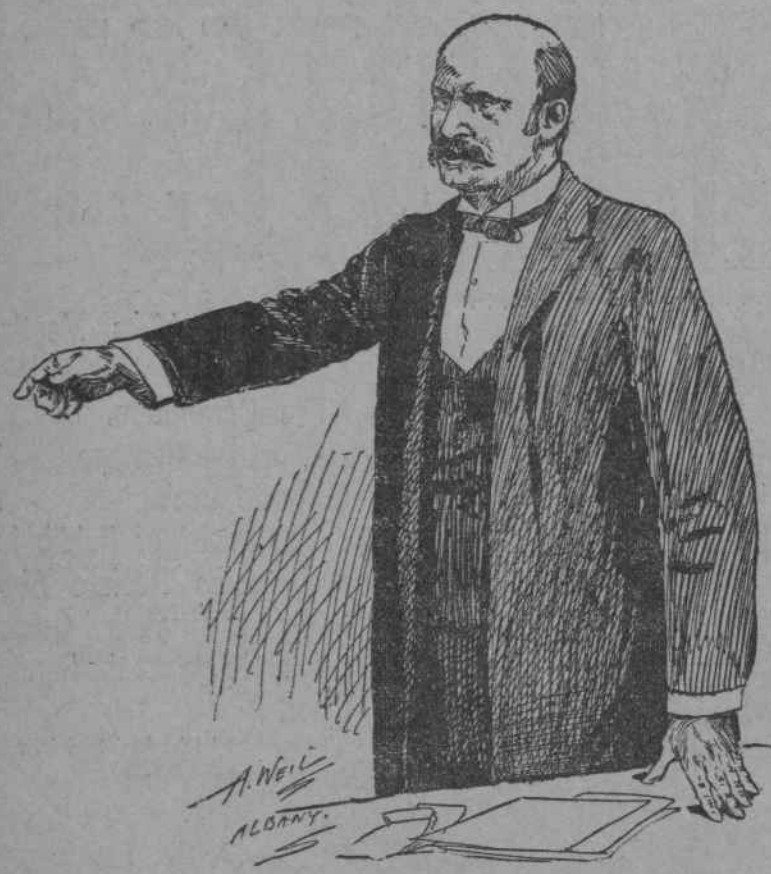


RAMPO'S COUNSEL

LED BY EX GOVERNOR DAVID B. HILL, WAGE HOT WAR ON RAMAPO'S ROTTEN CHARTER

Overwhelming Proof That the Company Is Merely a "Capitalized Pull" Forces a Whine for "More Time."



David Bennett Hill.

He led the Journal's counsel in the attack at Albany for the annulment of the Ramapo Water Company's charter.

ALBANY, Aug. 30.—The legal proceedings begun by the Journal to exterminate the Ramapo Water Company, took definite form to-day. In accordance with the notice served on Attorney-General Davies last Thursday, the legal aspects of the case against the company were presented and a request made that the State Institute at once a suit to declare the company's charter forfeited.

The expected happened. After the case against the company was laid before the Attorney-General, the company's counsel asked for a postponement. A brief contention ensued, and the hearing was postponed until next Wednesday, at 11:30 o'clock.

The motion for the postponement was not made until after the Journal's reasons for

the application were presented, so that the company has now a week in which to study the legal points it has to combat, and a whole week in which to prepare its defense.

But it is the opinion of good lawyers here that these advantages will not prevail, and that the company's life, through the efforts of this newspaper, is nearing its end.

It was a notable hearing and attracted widespread attention. At the big square desk in the library of his office sat Attorney-General Davies. At his left hand was his deputy, Frank M. Parsons, an able lawyer, who is familiar with all legal matters bearing upon corporations. At his right, seated deeply into the mud of desuetude, was the company's counsel, Eugene Treadwell, who thus fortified himself with the presence of his deputy, and was a tribute to the im-



Eugene Treadwell.

He appeared at Albany for the Ramapo Company to secure delay in the Journal's action to annul their charter.

portance of the case.

Directly opposite Mr. Davies sat former Senator David B. Hill and Bernard Naumburg, of the law firm of Elstein & Townsend, counsel for the Journal. Throughout the hearing Mr. Hill dug steadily into big legal tomes, examined papers and followed closely the line of argument.

He was ever ready with suggestions. He made comments and answered with crushing sentences the asides of the opposing lawyer.

Lauterbach's Fine Italian Hand. This opposing lawyer was Eugene Treadwell, of the law firm of Hoadly, Lauterbach & Johnson. It was the second time that Mr. Lauterbach had publicly acknowledged his interest in the attempt to mulct the taxpayers of New York City out of \$200,000,000.

Mr. Treadwell sat on Mr. Hill's right, a gloomy, saturnine figure. His face wore a sullen, suspicious expression, and he seemed to brood over the points that were humorous. From the outset he was alert and watchful and quick to interpolate remarks

Points Made by the Journal's Lawyers at the Albany Hearing.

1—During the twelve years of its existence the Ramapo Company has performed none of the acts for which it was incorporated.

2—The company is a mere shadow, without any legal right to exist, for it has paid no taxes, has made no reports and has failed to do other things which the law expressly declares shall be done.

3—Its purpose is to wring tribute from the taxpayers through privileges granted by the representatives of the people in the ages.

4—It is a public menace, as it seeks to control the entire water supply to the detriment of the people.

5—Its influence is rooted in political corruption.

6—It seeks to unlawfully profit at the public expense.

that he thought might weaken the array of facts piling up against him, or that might embarrass his opponents. The big desk covered with documents offered by the Journal in support of its case, showing that the company had violated the law in the matter of making reports, in its failure to have half its capital stock subscribed, and in that it had paid no taxes. There were also certificates from county clerks, proving that no taxes had been paid, and there were briefs and legal points, and in that it had paid no taxes. There were also certificates from county clerks, proving that no taxes had been paid, and there were briefs and legal points, and in that it had paid no taxes.

Bitter Medicine for Ramapo.

The evidence was cumulative, overpowering, convincing. Fact was piled on fact until it grew monotonous. Everything touched upon was additional proof that the Ramapo Company was only a shadow without a drop of water or a foot of land,



Bernard Naumburg.

He is one of the Journal's attorneys who argued at Albany yesterday for the annulment of the Ramapo charter.

that its right to life was based merely upon prospective contracts which must be secured before the company could operate under its charter. Authorities were quoted to sustain the Journal's contention that the company had forfeited its charter.

It was shown that the company is a non-user, that it has transacted no business within the meaning of the statute, and that it has done nothing except to enter into illegal contracts; that it has paid no taxes anywhere, made no reports and has no gross receipts. Mr. Naumburg asserted that the company had used political influence of all kinds.

"You have affidavits to that effect?" queried Mr. Treadwell.

"A mass of them," interposed Mr. Hill.

Mr. Treadwell's reply was a plea for more time. He said the notice was too short, and that the company could not suffer by a week's delay.

"You claim the company never did business," he said, plainly. "I want to stop it." "I now you are trying to stop it," he said, plainly. "I want to stop it." "I now you are trying to stop it," he said, plainly. "I want to stop it."



Listening to David B. Hill's Argument.

Deputy Attorney-General Frank M. Parsons.

Attorney-General Davies.

Mr. Treadwell stated that statements have been made, opinions offered and a number of affidavits have been made and filed, and also certificates from the State officers, and he wanted an opportunity to read those affidavits and to read those certificates, to enable him to see how far they represent the facts and how far they are to be controverted.

Asked a Week's Delay.

Mr. Treadwell suggested a week's adjournment. "Too long," said Mr. Hill, and added:

"So far as the injunction first granted is concerned, it is upon the application of a citizen over whom we have no control, and neither have the city authorities. But unquestionably the action is brought in entire good faith, and will be prosecuted as such. The action brought by the Comptroller will also act as a stay of proceedings. The question as to whether this injunction is to be executed or not has nothing to do with the question of the dissolution of the company."

"For the present I concede that this company is bound hand and foot, and very properly so."

On Mr. Hill's suggestion the Attorney-General directed that the Ramapo answer should be in affidavit form, and continued a suggestion that alarmed Mr. Treadwell. "I think it would be better," said Mr. Hill, "and I think more satisfactory to your Honor and satisfactory to counsel. If subpoenas could be issued and a hearing had in this matter if there is to be this determination of a question of fact, I make that suggestion, sir, which you can answer is to be filed, I warrant you that, and determine whether it should be done."

This course had not been followed in any case during Attorney-General Davies's official career, and he did not know whether it could be. He said "We will cross that bridge when we get to it." He was finally decided that an adjournment be taken until next Wednesday, September 6, at 11:30 a. m., when the Ramapo answer is to be filed, the arguments made and briefs filed. The Journal is permitted to file additional affidavits amplifying the proof already made.

"THIS IS A BI-PARTISAN MASS MEETING AGAINST A BI-PARTISAN JOB." COMPTROLLER COLER

at Cooper Union.

Continued from First Page.

only showed the depth of feeling in the audience.

Then when he had finished Mr. Sterne introduced Comptroller Coler. In the fight against the Ramapo Company Coler has ever been the Man on Horseback. The crowd recognized the fact in a tornado of applause. In a jiffy Coler had blossomed into a popular idol, a new possibility for future Mayoralties.

In a few words he ripped the Ramapo rag doll to pieces and let the sawdust escape. His speech was brief and to the point.

He was followed by Charles F. Adams. Then came the reading of telegrams of regret from many notable men who found it impossible to attend the meeting.

At 11 o'clock the crowd came streaming out into the street to the music of Fandell's band, only to find the red-free meeting on the outside still in full blast. Thousands took on a new lease of energy and remained until the finish. There were but few among that vast outpouring of men who did not come away convinced that the Ramapo water serpent had been killed.

The Journal's enormous mass meeting was a glorious closing to a day full of disaster for the water thieves.

In several other quarters they were branded with the hot irons of indignation and strung up by the thumbs, so to speak, for the public to boot at.

Public protest against the attempted robbery took form and shape in divers ways. At Albany Senator Hill and Lawyer Naumburg, on behalf of the Journal, asked that the Attorney-General begin proceedings to declare void the charter of the Ramapo Water Company.

Here for the first time the water thieves showed a tangible front. They were represented by Mr. Treadwell, of the law firm of Hoadly, Lauterbach & Johnson. His plea was for delay.

Here at last was the voice of the Ramapo goliath. It was like unto the wall of Pyrrhus standing between good and evil—the squeal of Burdett's donkey before an unattainable measure of oats.

The Attorney-General decided to hear both sides of the case on Wednesday next.

While the foes of the Ramapo Company were fighting it out in Albany a big public meeting was being held in this city by the Board of Public Improvements to give the members of the Board who had voted for the losing project a chance to explain their position. At this meeting the Ramapo Company received what may be a mortal blow.

Many of those who were expected to attend the meeting were absent. Those who were expected to speak against the company were strangely silent. Comptroller Coler made amends for the deficiency with a clear and concise exposure of the attempted Ramapo water robbery, embodied in a report which was presented before the Board.

The room where the meeting was held was crowded to the doors. The report of the Comptroller showed that the city was not in need of an additional water supply; that the city should own and control its own water system, and that the Ramapo Water Company exists only on paper and is not engaged in the business of supplying and selling water.

After listening attentively to Mr. Coler's arraignment of the plotters, a resolution was passed pledging the support of the Board in any equitable measure looking to city ownership of the water supply.

additional water facilities and that the Ramapo Company was the only thing in sight.

"I can show a few figures of my own, in this matter, as well as Comptroller Coler," he said.

As a sort of sequel to this meeting the members of the Board were served with subpoenas to appear before the Maset Committee and explain their position. From early morning until late at night the hunt for the water snake went on. To all appearances it had been trampled under the mud of desuetude.

Will it consent to die, or will it cast its bruised skin, slumber for a time and come forth in a new guise?

STERNE RIDDLES THE BIG RAMAPO HUMBAG.

Shows Its Rottenness and Points the Way for the City to Get Its Own Water.

Following is the protest against the Ramapo Water steal made in an address by Simon Sterne at Cooper Union last night:

Gentlemen and Fellow Citizens: I feel it an honor to be asked to preside at this meeting, having for its object the expression of the general indignation at the bold attempt of public plunder involved in the Ramapo scheme under the guise of furnishing water to the citizens.

Other Franchise Grabs. When the city had totally inadequate transit facilities and the only public vehicles were the rumbling stages and slow-moving horse cars, imperious demands arose, owing to the growth of the city, for the substitution of a better system of transit. It was this public necessity, availed of by shrewd speculators, which reared the ugly and fantastic railway structures and caused the giving away of millions of dollars in value of franchises under the mistaken belief that public necessity required the sacrifice.

A False Cry of Alarm. Neither public opinion nor the newspapers, ever alert to anticipate the public needs, have suggested within the past few years that there was an inadequate supply of water for the requirements of the people of Greater New York. No engineer in the public service or private engineer of any eminence has suggested that there was any immediate danger of an inadequate water supply.

This city, armed as it is with all the power of condemnation to get its water supply anywhere within the State that may be needed for its purposes, and if such powers are not adequate they can be obtained from the Legislature of any year, which would not dare to hold up any bill necessary for the welfare and health of the citizens of the city, is impudently told by its Commissioner of Water Supply that unless we pay \$3,000,000 a year subsidy to a private company the city cannot obtain all the water it needs within the necessary time.

Five million dollars a year is in excess on a capital of \$170,000,000 at 3 per cent. The proportion all over the United States of cities supplied by private water works as compared with public supply is rapidly diminishing, as is indicated by the startling fact that at the beginning of this century there were sixteen private to one public water works, whereas in 1897 there were 1,700 public works to 1,500 private water works.

Only nine of the fifty largest cities in the Union have their supplies of water furnished by private water companies, and four of these nine cities are now substituting

RAMAPO MERELY A SHADOW, SAYS DAVID BENNETT HILL.

Albany, N. Y., August 30, 1899.

Chairman of Citizens' Mass Meeting, Cooper Union, New York:

THE legal proceedings here to-day before the Attorney-General demonstrated prima facie that the Ramapo Corporation is largely a mere shadow, without substance, assets, responsibility or lawful existence.

The facts developed cannot well be changed at any subsequent hearing. I am confident that the rights and interests of the citizens and taxpayers of New York City will be fully protected in the final result.

DAVID B. HILL.

public works for the private water works.

We are now asked to reverse this policy and to pay to a private water company \$3,000,000 per annum for forty years, and this huge sum is but in small part to supplement the magnificent water works of our own municipality. Why? The Ramapo Company, composed of politicians, do the work cheaper than the officials of New York City?

Has the Ramapo Company a thing of a year—better credit than the city of New York? Is there any reason why the city should be asked to pay for water to a company which has no assets, no property, no credit, and which is not a legal entity?

We are told, however, that we need greater pressure of water, and that the Ramapo Water Company will supply the pressure we need for the high buildings, and thus save us from great conflagrations, because by the contract which is proposed to be made the Ramapo Company will supply a pressure from a height of four hundred feet, and that the Croton dam pressure is not so great.

The Contract Dishonest.

The contract proposed is as dishonest in its details as it is as a whole. The Ramapo Company says that it will supply and deliver water at the city line by a gravity system of transmission (which, remember, is not a pressure system) from a source starting at an elevation of not less than 420 feet.

What does that mean? The Hudson River starts at an elevation of not less than 200 feet at its source and comes into the city of New York under no pressure whatever. The Saugerties Creek starts in the Catskills Mountains at an elevation of not less than 2,800 feet and comes by a system of gravitation to the Hudson River under no pressure whatever.

This suggestion of the 420 feet in the contract is meant to have you imagine that you are getting water delivered at the fire hydrant under a pressure of about 150 pounds to the square inch, as though a stand-pipe of about 420 feet in height were delivering water within a few hundred feet of the hydrant.

That is not what the proposed contract provides for. The contract provides that the water shall come from a level of 420 feet above the level of the sea and be delivered "by gravity" at the reservoir, which, in other words, means that the water of the Ramapo Company is to be permitted to flow into the Aqueduct as rivers, brooks or creeks flow by the law of gravitation into the sea.

Pressure there is absolutely none, and the contract does not provide for it.

Another piece of humbug in this proposed contract is that the promise of the water being thoroughly wholesome

is all pretense. It sounds as though the Ramapo Company agreed that the water would be pure and wholesome and come from the mountains and rock regions where the population is sparse and is and will remain pure and free from contamination and pollution, but the contract very carefully does not make the Ramapo Company promise this.

It says most truthfully that the Commissioner of Water Supply has examined into the source of this water and that he has determined upon all these facts, and that he (not it) is satisfied that the Ramapo Company can furnish this pure and wholesome water in adequate quantities.

The Ramapo Company carefully provide in other parts of this proposed contract that their water supply shall not be required to be better than the water of the Croton and the Long Island water sheds and that the company will suffer no detriment whatever if the supply is inadequate and they fail in their contract.

Further than this, the Ramapo Company, conscious of its own weakness, and doubtful of its power for its own gain to condemn for public purposes the water sheds which under its charter it claims to have a right to take, and to enable it to plunder the city of New York out of these huge sums of money, has inserted the following provision in the proposed contract:

"The City of New York agrees to authorize and does hereby authorize the said water company to act as the agent and representative of the City of New York so far as it may be necessary in doing whatever may be necessary for the fulfillment of this contract."

What does this provision mean? It means that the citizens of New York give to the Ramapo Company all the power that we are for public use and general benefit clothed with the power to take the water of the city and charge the citizens of the city huge and stupendous profits on the exercise of the very powers with which we clothe them.

The Present Supply.

A few words as to our water consumption. Mr. Dalton says of Brooklyn that its consumption is 36,000,000 gallons daily; Manhattan and the Bronx, 265,000,000 gallons daily; borough of Queens, 8,000,000 gallons daily, making a total of 364,000,000 gallons and he says that the increase required in four years (judging them by way of computation so that the figures may mislead very much) will in his estimation be about 10 per cent each year.

The consumption in Brooklyn is close upon the total amount of supply. According to the different seasons of the

satisfaction as each of the expectant auditors found a comfortable resting place, a shuffling of feet among those who were content to stand, and within a minute the great meeting place was packed to the doors. There were many women among that great crowd, and they were among the most interested of those who listened to the eloquent speeches of the evening.

INSIDE THE WALLS OF COOPER UNION.

Mr. Joseph H. Johnson, Jr., of the Journal, appeared on the platform and made a preliminary speech. He referred to the enthusiasm that Americans pay to victors in warfare, pointed to the local pride of New Yorkers, and asked if they have time to see the work of the plunderer before becoming aroused to action. He expressed the opinion that, though slow to arouse, their vengeance will be unmistakable and terrible when it falls.

Mr. Johnson nominated Simon Sterne as chairman of the meeting. He was unanimously chosen.

His speech appears elsewhere. There was great cheering when Comptroller Coler was introduced, and greater still when he was introduced.

It was several seconds before he could venture upon his remarks, so deafening was the applause.

Mr. Russell Assails Ramapo.

Mr. George Dean Russell was introduced as secretary of the meeting, and said that he considered it a great honor to stand behind the Comptroller and the Vigilance Committee in fighting the Ramapo scheme, and said that he had long settled in his own mind that public ownership of public franchises was not only expedient, but a necessity.

"As Dewey was instructed to sink, capture or destroy the Spanish fleet, so the citizens of New York should not rest satisfied until they had annihilated the Ramapo scheme," said Mr. Russell. He was loudly applauded.

The crowd yelled loudly for Charles Frederick Adams, and he was vociferously cheered when he was introduced by Chairman Sterne. He said:

"I have the honor to have been selected to read a resolution, which is presented for your consideration."

The resolution was unanimously adopted. His speech appears elsewhere.

At the conclusion of Mr. Adams's speech, which was received through the aid of the body politic, and which were heard for various persons, but those for Frank Moss predominated.

Mr. Moss Speaks.

Mr. Moss said he would not make an effort to deliver a speech, but would simply show by standing up that he sympathized with the purposes of the meeting.

"As soon as we heard of this Ramapo scheme," said Mr. Moss, "we of the Investigating Committee issued subpoenas for every person who would be likely to have any knowledge of the facts in the case to appear before us and tell what they did know of it. We had great difficulty in finding some of them, but we mean business and we propose to see if the inside facts of this thing cannot be ascertained."

There will be a great day for the American people when the time comes that they will look upon a deal with the man who seeks to foment a thing like this Ramapo contract upon them as they would treat a person who fired upon their flag.

"The man who fires upon the flag does it in the open. We can deal with him as an honest foe. But he who seeks to make a political deal with the man who seeks to foment a thing like this Ramapo contract, and only with great difficulty can a real defense be established."

Speech by John N. Parsons.

John N. Parsons was greeted with a whirlwind of cheers. Almost without exception every man in that congregation that surged against the doors of the Institute held in his hand a copy of the Journal, containing the latest news of the great fight against a soulless corporation.

At 7:30 the doors were opened, and with a rush the great crowd filled into the hall. There was a rattle of seats, a long sigh of

The question now is, what are you going to do about it?

"It seems to me that we are paying too much attention to the men of the Ramapo Water Company and too little attention to the men who make the formation of such a contract void. I think it is time that we should have a meeting of the people of New York City to decide whether we will have to pay that Ramapo bill, or whether we will have to pay the bill of the people."

"If the great body of the people of New York City in calling this meeting is able to keep this matter in check until the election comes around, I think it is not necessary that there will be some one else then in charge. The citizens themselves will then take up the work the Journal began."

"We will welcome the investigation of the Maset Committee. But after they get through with it, we the workmen, will take it up and see what we can find out about it."

"If the wage workers here to-night are sincere in their enthusiasm and will carry that slogan to the hall of Mr. Fulton, November, such another meeting as this will never have to be called, because no other corporation like the Ramapo Water Company could ever be formed."

Lawyer Fulton's Remarks.

Thomas A. Fulton, the well-known lawyer, said he was sure the names of the 1,200 men signed by Dutcher had referred to as having signed the petition upon which the Ramapo Water Company's proposal was based had been misused. He said he would like to see the names of the 1,200 men who would have to pay that Ramapo bill. It would be the wages of the people of New York City, and he would like to see the names of the 1,200 men who would have to pay that Ramapo bill.

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CROWDS FILL THE STREETS OUTSIDE COOPER UNION.

The overflow meeting outside the main doors of Cooper Union was, if anything, a bigger success than that in the great auditorium itself, and this feature of the demonstration was the most successful because the assembly, while it evidently enjoyed and appreciated the music and fireworks provided for its delectation, remained almost in its entirety to hear the speakers dissect and denounce the great Ramapo job.

The spectacle presented on the Cooper Union plaza at the time set for the beginning of the open-air meeting was varied and surprising from whatever point of view considered. Thousands of eager and excited citizens surrounded the Journal's handsome stand, which had been erected directly opposite the principal entrance to the Union. The stand was brilliantly illuminated with a mammoth Maltese cross of electric arc lamps, and from the top of the stand a searchlight beam of light shined down upon the speakers' platform and denounce the great Ramapo job.

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